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KENTUCKY STATE CONVENTION.

OFFICIAL REPORTS.

M. E. SUTTON, CHIEF REPORTER.

FRIDAY, NOVEMBER 9, 1849.

[Proceedings Continued.]

Mr. C. A. WICKLIFFE. This proposition seems to be one which I cannot well comprehend. It is to have two county court organizations in the same county, to have two sheriffs, and two clerks' offices for registering deeds and wills, whose jurisdiction shall be co-extensive with the bounds of the county. I admit there is weight in the ideas suggested by both the gentlemen from Jefferson upon the subject of the revenue and the county taxes. I do not know that the mode of organizing the county courts, as contemplated by the committee, will contain any constitutional inhibition which will prevent the legislature from meeting the difficulty in this case. The legislature will not be prohibited from giving to any county a tribunal for levying the revenue. They may make the magistracy a tribunal for this purpose, for the county levy is not imposed on the citizens of the city, nor can the levy of the city be imposed on the citizens of the county. The county court as now organized, sitting in Louisville, has heretofore, by some legislative enactment, exercised the power of taxation outside of the city. They now control this business by a kind of common consent. Now if the evil be as the gentleman has supposed, why may they not give to the county of Jefferson a board for taxing the citizens separate from the city of Louisville? There is no inhibition, and I think it will be a much more congruous arrangement than to have this double county court in the same county. I rose with a desire to preserve harmony in the provisions of the constitution, and I think they would be any thing but harmonious with double county courts sitting at the same time, or at different times, with two sheriffs, one running into the city of Louisville and the other in the county of Jefferson. These are evils which I think should not be engrafted in the constitution, and it would be much better to leave the legislature to act on the subject. Let the magistracy be organized into a board to impose taxes, or let them adopt any other system which may be deemed appropriate.

Mr. PRESTON. I do not desire to take up the time of the house on this matter. The reason that I resisted the proposition was not for the purpose of placing the county of Jefferson under the dominion of the city of Louisville, or that the city should have the power of exercising any political tyranny over the county. The gentleman from Jefferson who presented the resolution, moved in the first part of it, only those things which the legislature already have the right and power to do, but in the latter part, he urged a proposition, with that parliamentary dexterity for which he is remarkable, which would permit the county to be cut in two by a sort of proviso. It says, in effect, that the county and city shall be divided until further orders. That there shall be distinct sheriffs, clerks, and municipal tribunals and officers. The resolution containing that provision was voted down yesterday by a majority of about fifty eight to twenty four.

So far as I yesterday used the terms whig and democrat, I said, I could conceive in other reason, no other practical object in this measure but to produce a county court for local officers. I, Mr. Chairman, have been indebted to my democratic friends as well as to my whig friends for my place on this floor, and I am happy to have received substantial testimonials of kindness from both parties in the only political canvass I ever made. For the remark I made I have no apology to offer; I said I have no reason for dividing the city and county, but to have a county court for county officers, and I yet see none, which demand such redress.

What would be the mode of levying the county revenue, if the resolution of the gentleman were to fail? It would be the very same which has prevailed for the last eight or ten years. The only difference would be, that instead of the appointment of a magistracy by the governor, or the recommendation of the county court, the people under the new constitution will elect them; yet the gentleman seems to think such a magistracy, so chosen, would impose intolerable burthens, by taxation, on the people of Jefferson before the legislature could convene.

That the general assembly have a right to provide for the appointment of a separate clerk of the court and sheriff in the city of Louisville, and to invest it with the separate rights of a county, there can be little doubt. But to claim that the county of Jefferson shall have separate elections, officers and courts, and yet come to the city to hold those courts, would be like demanding that new counties should be established, but yet should have the right to hold their courts at the county seat.

If the gentleman desires a general declaratory provision, I have no objection to it; but it is only acting properly to that which the legislature will have a right to do, whether we act on it or not. I am willing to say that a board of county magistracy may lay the levy and disburse it; but I am opposed to a division of the county and city, with separate sheriffs and county officers, having a mixed jurisdiction. According to the resolution the legislature would be compelled to divide the city and county, for that is imperative. It declares that the city and county shall be divided. It says, "the city or town shall be invested," &c. I believe it is more advisable for this convention to refer this matter to the action of the legislature which shall convene under the new constitution, than to attempt to provide for themselves.

I am not certain that the city of Louisville would not be willing that this arrangement should be hereafter made; but there has been, as yet, no petition from any citizen on this subject before the election, and it would be preposterous to consummate such an act under such circumstances. It seems inappropriate for this convention to enter upon such duties, and for these reasons I am opposed to it. I, therefore, to manifest the arrangement to which I would assent, offer this as a substitute.

"Cities or towns, entitled to separate representation, may be invested with the privilege of a separate municipal government, and of having separate courts and separate officers, in the same manner provided for separate counties, and on such terms and conditions as the general assembly may by law provide."

Mr. MERIWETHER. From indisposition, I have been unable to enter at length into this discussion, but I beg the indulgence of the house, while I give some reason for the adoption of my amendment. The gentleman from Louisville says it is now a separation if that amendment is adopted. I use the same language with reference to counties, that the gentlemen of the committee used with reference to cities. What is the language of the report of the committee on the legislative department?

"Provided, That when it shall appear to the legislature, that any city or town hath a number of qualified voters equal to the ratio then fixed, such city or town shall be invested with the privilege of a separate representation, in both houses of the general assembly."

I use that language to meet the contingency, that a county may have the privilege of separate municipal government; and I ask why, when a city may claim a separate municipal government, you turn us over to the legislature? Is the proposition right? Then why not act on it here? Will not this proposition be met by the same resistance in the legislature, that it meets here? Why provide for every county, whether she wishes a separate representation or not, and turn us over to be taxed with the city of Louisville? The gentleman from Nelson says, this can all be regulated by law. Suppose it can. Does it follow that we should not act on it here? Is there any provision introduced into this constitution, that the legislature should not have provided for? Are we to leave all to the legislature? Surely not. Then why not let the constitution speak on this point?

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"That from and after the passage of this act, the justices of the peace of Jefferson county, residing without the limits of Louisville, shall constitute the court for laying the levy of the county of Jefferson, and appropriating and disbursing the same; and the justices of the peace of said county, residing in Louisville, shall not be liable in laying the levy in the county of Jefferson, or in appropriating or disbursing the same."

Now, if you pass the provision in reference to county courts, as proposed, all the evils in representation and taxation can be avoided.

Mr. MERIWETHER. It must be recollected that under the old constitution, the taxing power in the county was not elected by the county at large. The county court appointed resident magistrates, such as might be appointed necessary throughout the county, and if the gentleman had looked a little further, he would have seen that the city of Louisville would not have more than seven magistrates. But it is now proposed that this county shall have three judges, to be elected by the voters of the city and county jointly; and I will ask you, if the city has five thousand two sheriffs, one running into the city of Louisville and the other in the county of Jefferson. These are evils which I think should not be engrafted in the constitution, and it would be much better to leave the legislature to act on the subject. Let the magistracy be organized into a board to impose taxes, or let them adopt any other system which may be deemed appropriate.

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tions, restraining orders, and *ne exeat*, and he is likely to be applied to every day, and it frequently applied to many times in the day, to examine the records and decide as to attachments. Independent of these duties also, the writs of *habeas corpus*, and nice and intricate questions of the custody of children and the power of parents and guardians over them, are brought before him. Then all collision cases are to be tried by jurors, and when he has prepared the *enire* he is to have a day fixed for it, and that is always some day that is not a regular court day. And we have been engaged in the trial of some of these collision cases for a week and some times ten days, on a single cause. So also in regard to contested wills, they are tried in that court, and some of them consume a considerable time. But the heaviest jurisdiction in relation to juries are in collision cases. It is in fact a mercantile court, for the transaction of nearly all of that description of business that connects itself with the mercantile affairs of the country, both as to shipping and attachments against foreign debtors, together with the usual amount of chancery business, of liens upon buildings, and assignments, and settlement of estates, and winding up of partnerships, embracing all that variety of jurisdiction that under our system of laws devolve particularly upon the chancery part of the circuit courts.

It is from the great accumulation of business in the Jefferson circuit court, on the chancery side, and the fact that the common law and criminal business occupied its whole time, so that the chancery side of the docket was hardly ever reached, except by motion, that induced the legislature in 1835 to establish this court. The business of the community has been done in that court with great facility, and the chancery business kept down. A great many of these cases are tried in that court, in from fifty to sixty days from the time they are commenced, if they are plain cases. Where they are complicated, and where they require a greater time to prepare them, of course it takes a longer time, and occasionally, a cause falls back, either from the neglect of the parties, or the difficulty of getting at the facts. But I have seen no court during the period of time I have practised, that transacts its business with more promptness and certainty than it. And although amongst the mass of cases that come to the court of appeals there have been a fair number of reversals, yet there have been a large proportion in which the individuals have been fully satisfied, and which have never been brought to the appellate court. I am satisfied that the chancery business of the city of Louisville and the county of Jefferson, will require the whole labors of a circuit court, and that it cannot be done without it. A large portion of the business done in that court, is of persons who reside without its jurisdiction, and who were connected with Louisville, by the commerce and trade of the city and county. It was the conviction of these facts that induced the legislature to establish the court in the first instance, and it is under the same impression and the belief that no arrangement can be made that will be more beneficial to the litigants or to the community at large, that we have been induced to ask that it shall be recognized by the constitution, and take its fate in the legislature of the country, as experience may dictate it best deserves. Either to have it repealed, or to have its jurisdiction enlarged or diminished, as the interests of the country may demand. I am satisfied that if the convention shall diminish the number of courts in the commonwealth, if they do not leave us the chancery court, that at least they will be compelled to establish an additional circuit. I do not believe, from the immense number of criminal cases falling to the lot of the Jefferson circuit court, to try, that it will be possible for one judge to do the criminal business, the common law business, and the chancery business, that exists and has existed for the last three years in the city alone. The city is growing and increasing, and with it will increase the necessity of having a court of justice always open, and always ready to transact the business constantly arising in a place of increasing trade and commerce. We cannot safely dispense with such a court in the city of Louisville, and all I ask is, that it shall be permitted to exist. See that in the draft of the bill, the marshal of the circuit is re-eligible to office. This I do not desire, and I move that the marshal of the court be ineligible for a succeeding term.

The amendment was agreed to.

Mr. TRIPPLETT. I concur in the opinions expressed by the President as to the necessity for the existence of the court, but I want to guard it against an evil that has sometimes happened, and may happen again. I therefore offer the following as an additional section:

"The jurisdiction of said court shall be restricted to suits where the property or estate, or some one or more of the defendants reside in Louisville."

My object is obvious on the face of the amendment itself. This court is now to be made a constitutional court, and I want to know the limit of its jurisdiction. The jurisdiction of all the circuit courts throughout the state is limited by law, and I now want to limit the jurisdiction of the chancery court of Louisville. So far as regards Louisville, and in causes where the defendant or one or more of them reside in that city, let the court have jurisdiction. Otherwise, every man who is in the habit of visiting Louisville, or who may do it occasionally, is liable when caught in town to be sued there, and thus the court would exercise jurisdiction over a suit, the subject matter of which, and many of the defendants might pertain to a remote part of the state. Are you willing that your constituents shall be obliged either to stay out of Louisville altogether and thereby neglect their business, or if they go there be liable to have process served on them, and detained to attend to a long and sometimes complicated chancery suit? It is to guard against this that I have offered my amendment.

Mr. PRESTON. I do not see the force of the objection urged by the gentleman from Daviess. The Louisville chancery court has vested in it all the chancery jurisdiction which was formerly reposed in the Jefferson circuit court, and thus, if the separation had never taken place, the same persons under the same circumstances, only, would have been subject to suits in the Louisville chancery, as on the chancery side of the Jefferson circuit court. And this is all the jurisdiction we have proposed to give this court in this report—a jurisdiction that is exercised by every circuit court on its chancery side in the commonwealth. There are two classes of actions—those which relate to fixed property, which are local, and transitory actions, which it is right and proper should follow the person. The Louisville chancery court, therefore, received only that jurisdiction which the circuit court on its chancery side possessed anterior to its establishment, and it was thus established only because the business was so great under the advancing wealth and population of the county, that it was necessary to make the division in order to administer justice.

The gentleman certainly would not deprive the chancery court of Louisville of that general jurisdiction over subjects which every circuit court in the commonwealth possesses. If the man be in debt, and the remedy be in chancery, he may be served with process in Fayette, or Hickman, or Mason counties, and tried in the circuit courts of those counties under precisely similar circumstances as in the chancery court in Louisville. There was no difference in the proceeding, and yet the gentleman does not object to the jurisdiction of the circuit courts in such cases. Now the chancery court of Louisville exercises a jurisdiction, which, after the experience of ages, has been asserted and declared in the courts of England and in every state of the Union, over a certain class of action relating to matters which being transitory in their character, the remedy should be obtained wherever the person of the defendant is found. And this is the jurisdiction always exercised on the circuit courts of England and in every state of the Union, over a certain class of action relating to matters which being transitory in their character, the remedy should be obtained wherever the person of the defendant is found.

This report proposes to leave the existence of the court, and the extent of its jurisdiction, entirely with the legislature. Is not that sufficient? Are we going to legislate upon every minute point, in making a general law? If so, we are likely to be kept here forever. Now I about the question, whether we ought to provide for the jurisdiction of the courts within this state, or whether we should leave it to be done by the legislature. If we undertake to make this court an exception, it will look very extraordinary. Are we to declare that all the courts in the commonwealth should have the same jurisdiction that now exists, except the chancery court of Louisville, and that shall have less than all the other courts in the state? that is the effect of the gentleman's proposition. He wishes to limit the jurisdiction of all the courts, by a general provision, when the whole

have no control, as the gentleman seems to infer. The clause reads in this way, "The Louisville chancery court shall exist under this constitution subject to repeal, and its jurisdiction to enlarge or modify by the legislature." There is therefore no difficulty in reaching the subject of jurisdiction by legislation, if it should hereafter become necessary.

Mr. TRIPPLETT. It is true that this court has heretofore existed by law, but the legislature when it created it did not do that justice to the balance of the citizens of the state which was due to them. Therefore now, when this convention is about to make the court a constitutional one, by requiring its continuance, I desire to do that which the legislature should have done at the time it first established the court. This proposition can be made so clear that no man can misunderstand it. I have drafted this amendment with some care, and the gentleman's objection to it does not lie. By my amendment, if the defendants or any one of them reside in Louisville, or if their property being transitory, is in Louisville, then the chancery court there would have jurisdiction over it. But I do not want to give that court jurisdiction over all the citizens of the state, wherever they are. Suppose my amendment does not pass, why the very civil now existing will continue to exist, and we know it. We all know that never, up to this day, have we had power sufficient in the legislature to prevent this very evil of which we now complain. I know from my own personal knowledge, as do other gentlemen in this convention, that the jurisdiction of suits have been transferred to the Louisville chancery court, when neither the subject matter in controversy nor one of the defendants have resided in that city. The case of Spotts was removed there, and the land involved lay in Henderson county, and every one of the defendants lived there except one by the name of Barbour. He was passing through Louisville, and was served with a *subpoena*, and he was only a nominal defendant. Are gentlemen willing then that their constituents shall be forever hereafter liable to be subjected to this inconvenience, provided the legislature does not correct it. And if the circuit court possessed the same jurisdiction, and had exercised it in this way, I ask if, according to the gentleman's own proposition, the legislature should not have deprived them of that power? Take an instance that might occur at the seat of government here. Suppose a man comes here on business which it is necessary for him to transact, and which cannot be transacted anywhere else—ought the circuit court to have jurisdiction there? If the owner of a tract of land lying in Hickman, or in Knox, or in any other of the border counties of the state, be sued, the courts there should have jurisdiction not only over all the defendants in the case, but over the subject matter. What is the effect of giving jurisdiction to a court in a remote part of the state? Does any gentleman say it ought to be so? But the gentleman says, that I am drawing a distinction between the chancery court of Louisville, and the ordinary courts having jurisdiction in chancery cases; but it so happens that my proposition is wrong? No sir, so far from it, they show that the provision ought to be extended to all the other courts. My maxim is to remedy the evil, where it occurs, and believing it to be my duty, as far as I am able, to provide that this evil shall not exist the evil, then I will move to add the words that I have suggested.

The mere question is, shall your constituents, because one of them happens to go to Louisville, be sued there, and all the balance of the defendants be brought there? If the owner of a tract of land lying in Hickman, or in Knox, or in any other of the border counties of the state, be sued, the courts there should have jurisdiction not only over all the defendants in the case, but over the subject matter. What is the effect of giving jurisdiction to a court in a remote part of the state? Does any gentleman say it ought to be so? But the gentleman says, that I am drawing a distinction between the chancery court of Louisville, and the ordinary courts having jurisdiction in chancery cases; but it so happens that my proposition is wrong? No sir, so far from it, they show that the provision ought to be extended to all the other courts. My maxim is to remedy the evil, where it occurs, and believing it to be my duty, as far as I am able, to provide that this evil shall not exist the evil, then I will move to add the words that I have suggested.

Mr. C. A. WICKLIFFE. I was a member of the legislature when the chancery court of Louisville was organized, and a larger jurisdiction was given to it than I thought it ought to have; but as it now exists, the jurisdiction of that court, in chancery matters, is no larger than the jurisdiction of the circuit court. If a man from Daviess, against whom a claim exists, for which he might be sued in chancery in his own county, should go to Louisville, process might be issued against him there, by the circuit court. He could be held upon a writ of *ne exeat*, or I believe, as it is now called, a writ of "no go"—and the chancery court can do no more. If one of the defendants in a large suit should happen to be there, the circuit court can issue process against him, and the chancery court has no greater power. And it appears to me that if I understand the chancery court as possessing greater power, and having jurisdiction, than the circuit court possesses, in chancery business; but that as it is, I may think we had better leave the regulation of the internal jurisdiction of the court, as well as its jurisdiction over-transitory persons and property, to the legislature.

Mr. TRIPPLETT. The gentleman does not understand me; I only cite the case as an instance, where the defendants, as well as the subject matter of the suit, were in another county.

Mr. PRESTON. The gentleman proposes that the Louisville chancery court shall take cognizance of nothing except those cases when the contract has arisen, either in Louisville, or in Jefferson county. Do I understand him?

Mr. TRIPPLETT. I did listen, but I did not hear.

Mr. PRESTON. I understand that the practical application which the gentleman from Daviess desires to make of his proposed amendment to the report, is to limit the jurisdiction of the Louisville chancery court, as he frankly admits, in a manner not known in any other chancery court in Kentucky; to curtail it of the rights enjoyed by every other circuit court on the chancery side; to deprive it of jurisdiction that has in time immemorial, been exercised by such courts in this country and in England, from whence we have derived our system of jurisprudence. He has alluded to the case of Spotts' heirs and Barbour. I have not read that case, but it seems to me that the gentleman is not taking the proper course to cure the evil he complains of. He is endeavoring to do it by restricting the jurisdiction of the chancery court, when the injury he complains of arises from the decision of the appellate court.

The convention then adjourned.

ARTICLE —

Concerning the executive department.

Sec. 1. The supreme executive power of the commonwealth, shall be vested in a chief magistrate, who shall be styled the governor of the commonwealth of Kentucky.

Sec. 2. The governor shall be elected for the term of four years, by the citizens entitled to suffrage, at the time and places where they shall respectively vote for representatives.

The person having the highest number of votes shall be governor; but if two or more shall be equal and highest in votes, the election shall be determined by lot, in such manner as the legislature may direct.

Sec. 3. The governor shall be ineligible for succeeding four years after the expiration of the term for which he shall have been elected.

Sec. 4. He shall be at least thirty-five years of age, and a citizen of the United States, and have been an inhabitant of this state at least six years next preceding his election.

Sec. 5. He shall commence the execution of his office on the fourth Tuesday succeeding the day of the commencement of the general election on which he shall be chosen, and shall continue in the execution thereof until the end of four weeks next succeeding the election of his successor, and until his successor shall have taken the oaths, or affirmations, prescribed by this constitution.

Sec. 6. No member of congress, or person holding any office under the United States, nor minister of any religious society, shall be eligible to the office of governor.

Sec. 7. The governor shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the term for which he shall have been elected.

Sec. 8. He shall be commander-in-chief of the army and navy of this commonwealth, and of the militia, except when they shall be called into the service of the United States; but he shall not command personally in the field, unless he shall be ordered so to do by a resolution of the general assembly.

Sec. 9. The governor shall have power to fill vacancies that may happen by death, resignation, or otherwise, by granting commissions, which shall expire by law.

Sec. 10. He shall have power to remit fines and forfeitures, grants leases and pardons, except in cases of impeachment.

In cases of treason, he shall have power to grant reprieves until the end of the next session of the general assembly, in which the power of pardoning shall

be vested. That whenever the governor shall remit a fine or forfeiture, or grant a reprieve or pardon, he shall enter his reasons for doing so on the records of the secretary of state, in a separate book; and on the requisition of either house of the general assembly, the same shall be laid before them, and published if they deem proper.

Sec. 11. He may require information in writing, from the officers in the executive department, upon any subject relating to the duties of their respective offices.

Sec. 12. He shall, from time to time, give to the general assembly, information of the state of the commonwealth, and recommend to their consideration such measures as he may deem proper.

Sec. 13. He may, on extraordinary occasions, convene the general assembly at the seat of government, or at a different place, if that should have become, since their last adjournment, dangerous from an enemy, or from contagious disorders; and in case of disagreement between the two houses, with respect to the time of adjournment, adjourn them to such time as he shall think proper, not exceeding four months.

Sec. 14. He shall take care that the laws be faithfully executed.

Sec. 15. A lieutenant governor shall be chosen at every election for a governor, in the same manner, continue in office for the same time, and possess the same qualifications. In voting for governor and lieutenant governor, the electors shall distinguish whom they vote for as governor, and whom as lieutenant governor.

Sec. 16. He shall, by virtue of his office, be speaker of the senate, have a right when in committee of the whole, to debate and vote on all subjects, and when the senate are equally divided, to give the casting vote.

Sec. 17. Whenever the office of governor shall become vacant, the lieutenant governor shall discharge the duties of governor until his successor shall have been duly elected; but no new election shall take place to fill such vacancy.

Sec. 18. The judges first elected shall serve as follows, to-wit: one shall serve two; one four; one six, and one eight years. The judges, at the first term of the court succeeding their election, shall determine by lot, the length of time which each one shall serve; and at the expiration of the service of each, an election in the proper district shall take place to fill the vacancy.

Sec. 19. The judges first elected shall serve as follows, to-wit: one shall serve two; one four; one six, and one eight years. The judges, at the first term of the court succeeding their election, shall determine by lot, the length of time which each one shall serve; and at the expiration of the service of each, an election in the proper district shall take place to fill the vacancy.

Sec. 20. The speaker *pro tempore* of the senate, shall receive for his services, the same compensation which shall, for the same period, be allowed to the speaker of the house of representatives, and no more; and during the time he administers the government, as governor, shall receive the same compensation as the speaker of the house, and, in like manner, administer the government for the balance of the term.

Sec. 21. If a vacancy shall occur in said court, the governor shall issue a writ of election to fill such vacancy, for the residue of the term, and another judge shall be elected by that for which the judge was elected, whose death, resignation, removal, or other cause, produced such vacancy.

Sec. 22. No person shall be eligible to be a judge of the court of appeals who is not a citizen of the United States, a resident of the state two years next preceding his election, or the age of twenty one years, and have expiried for which the governor was elected; and if during the time the lieutenant governor shall fill such vacancy, he shall be impeached, removed from office, refuse to qualify, resign, die, or be absent from the state, the speaker of the senate shall, in like manner, administer the government for the balance of the term.

Sec. 23. The speaker *pro tempore* of the senate, shall receive for his services, the same compensation which shall, for the same period, be allowed to the speaker of the house of representatives, and no more; and during the time he administers the government, as governor, shall receive the same compensation as the speaker of the house, and, in like manner, administer the government for the balance of the term.

Sec. 24. Whenever the government shall be administered by the lieutenant governor, or he shall be unable to attend as speaker of the senate, the senators shall elect one of their own members as speaker for the occasion.

Sec. 25. The lieutenant governor, while he is speaker of the senate, shall receive for his services, the same compensation which shall, for the same period, be allowed to the speaker of the house of representatives, and no more; and during the time he administers the government, as governor, shall receive the same compensation as the speaker of the house, and, in like manner, administer the government for the balance of the term.

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Sec. 34. The speaker *pro tempore* of the senate, shall receive for his services, the same compensation which shall, for the same period, be allowed to the speaker of the house of representatives, and no more; and during the time he administers the government, as governor, shall receive the same compensation as the speaker of the house, and, in like manner, administer the government for the balance of the term.

Sec. 35. The speaker *pro tempore* of the senate, shall receive for his services, the same compensation which shall, for the same period, be allowed to the speaker of the house of representatives, and no more; and during the time he administers the government, as governor, shall receive the same compensation as the speaker of the house, and, in like manner, administer the government for the balance of the term.

Sec. 36. The speaker *pro tempore* of the senate, shall receive for his services, the

WANTED! WANTED!
THE undersigned are desirous of purchasing Six
Hundred Bushels of RYE, and Three Thousand
Bushels of BUCKWHEAT. They are willing to
give the highest CASH price.
JOYCE & WALSTON.
Frankfort, October 4, 1849.—d

MERRILL'S BAKERY,
WHOLESALE CANDY FACTORY,
N. E. Corner Front and Walnut Streets, Cincinnati.

PLATE BISCUIT; Water Crackers; Graham Crackers; Soda Crackers; Always on hand at the BAKERY. MERRILL'S BAKERY is invited to call.
ROBERT MERRILL, Jr.
Cincinnati, October 4, 1849.

CHARLES MULLER,
IMPORTER OF
Fancy Goods, Toys, Cutlery, Looking Glass
Plates, Etc.

AND Manufacturer of Looking Glasses, Walnut
A street, three doors below Pearl, Cincinnati; and 30
Platt street, New York.
Oct. 4, 1849.—d

P. HOLLAND,
Commission Merchant, and Tobacco Factor,
No. 18, West Front St., Cincinnati, O.

BEING Agent for all the principal Manufacturers in
Virginia, Missouri and Kentucky, I am prepared to
sell TOBACCO lower than any other establishment
West of the Alleghenies. Always have fresh
1,000 to 5,000 Packages,

Of the following styles:
VIRGINIA. MISSOURI. KENTUCKY.
Lb. Lump. Lb. Lump. Lb. Lump.
5 do. 5 do. 16 do.
8 do. 8 do. 6 Twist.
12 do. 12 do. &c. &c.
16 do. 16 do.
Cincinnati, October 4, 1849.—d

D. Y. HARRISON. A. B. KATON
STEAM SPICE MILLS.

HARRISON & EATON,
Coffee and Spice Dealers, Walnut Street, oppo-
site Pearl Street House, Cincinnati, O.

CONSTANTLY on hand, fresh ground and warranted
pure—
PEPPER, GINGER,
CLAY, MUSKARD,
ALLSPICE, Genuine African CAY-
CINNAMON.

The above articles may be had in bulk, or put up in Pack-
ages to suit the RAILROAD, and neatly labeled
—ALSO—
Ground COFFEE, Roasted COFFEE,
Ground RICE, Roasted PEANUTS.
African Cayenne Pepper Sauce in Bottles.
Ground COFFEE packed in paper to order, for
Wharf Boats or Steam Boats, and warranted pure.

1,000 to 5,000 Packages supplied at short notice,
and on reasonable terms.

CASH paid for MUSTARD SEED.

UPPER—Springer & Whitman; Burrows & Thompson; C. & C. & Co.; Parker & Hooper & Co.;
Hess & Faser; Minor & Newell & Co.

HOTELS—Galt House, W. E. Marsh; U. S. Hotel, A.
Wetherbee; Peart Street House, Col. J. Nobile.

Cincinnati, Oct. 4, 1849.—d

BOOKS AND STATIONERY.

THE undersigned would respectfully call the attention
of the public to his valuable stock of **BOOKS**
AND **STATIONERY**, consisting of the latest
Theological, Miscellaneous, and School Books; Blank
Records and Account Books of every description on
hand or made to order at a short notice; Binder's Leather
and Cloth; Printer's Ink; and Envelope Surface
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Blotting and Drawing Papers; Pens; Envelopes;
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forated Boards; Globes; Celestial and Terrestrial; Orry-
tel; Tellurian and Astronomical Instruments; Surveyor's
Compasses; and other Scientific and Mathematical
Instruments; and a large stock of Backgammon
Boards, &c.

For sale, Wholesale and Retail, by
GEORGE COX,
71, Main Street, Cincinnati, Ohio.
October 4, 1849.—d

Important Information.

SHIRES,
128 Sycamore, and 36 Fourth St., Cincinnati,
CONTINUE to Manufacture all kinds of **TIN**, **COP-
PER**, **SHEET IRON** and **JAPANE WARE** and
WORK, equal to not superior to any in the United
States.

A splendid and large variety of **House Furnishing
Goods**, consisting of Fancy Hardware, Hollow Ware,
Brooms, Dusters, Window and Willow Ware, &c. &c.,
always on hand for sale at reasonable terms.

In addition to the above, the proprietor is prepared to
manufacture any Article, and attend to the Sale of **Novel-
ties**, **Entertaining Articles**, **Instrument**, **Surveys**, **Com-
passes**, &c. and a large stock of **Backgammon**
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Books and Stationery.

The Academic year extends from the first Monday of
September to the third Friday of June, for twenty weeks.

The students, who are admitted to the school, from fifteen
different States, have entered this institution since it was
organized in 1847.

It is entirely free from the control or
domination of any sect or party, either political or
religious. Every student, in the selection of his
professor, is free to act as he pleases.

Students are required to select a College, Garrison,
and whom all funds brought or received, must be de-
posited, and no debt must be contracted without the
consent of the trustees.

The removal will be made immediately after Christ-
mas, and the school opened at that place.

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different States, have entered this institution since it was
organized in 1847.

It is entirely free from the control or
domination of any sect or party, either political or
religious. Every student, in the selection of his
professor, is free to act as he pleases.

Students are required to select a College, Garrison,
and whom all funds brought or received, must be de-
posited, and no debt must be contracted without the
consent of the trustees.

The removal will be made immediately after Christ-
mas, and the school opened at that place.

On the 7th day of January, 1850.

The Academic year extends from the first Monday of
September to the third Friday of June, for twenty weeks.

The students, who are admitted to the school, from fifteen
different States, have entered this institution since it was
organized in 1847.

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